

UNITED STATES U.S. DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

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| MICHELLE A. SCHENCK, | : | Civil Action No. 1:21-cv-00659-LJV |
| | : | |
| Plaintiff, | : | |
| | : | NOTICE OF MOTION TO DISMISS |
| -against- | : | THE AMENDED COMPLAINT |
| | : | |
| UNITED AIRLINES, | : | |
| | : | |
| Defendant. | : | |
| | : | |
| ----- | X | |

PLEASE TAKE NOTICE that, based upon the Declaration of Pamela S.C. Reynolds, dated December 29, 2021; the Declaration of Dorota Karpierz, dated December 23, 2021; the accompanying Memorandum of Law dated December 29, 2021; and all other pleadings and filings in the above-captioned action, Defendant United Airlines (“Defendant”), by and through their attorneys, Littler Mendelson, P.C., will move this Court, before the Honorable Lawrence J. Vilardo, United States District Judge, in the United States District Court for the Western District of New York, Robert H. Jackson United States Courthouse, 2 Niagara Square, Buffalo, New York 14202, on a date and time to be set by the Court, for an Order dismissing the Amended Complaint (Dkt. No. 10) in the above-captioned matter in its entirety pursuant to Rule 12 of the Federal Rules of Civil Procedure and granting such other and further relief as this Court deems just and proper.

Defendant intends to serve Reply Papers and, therefore, Plaintiff is required to file and serve opposing papers within the time limits identified in Local Rule 7 of the Local Rules of Civil Procedure for the United States District Court for the Western District of New York unless a motion schedule is otherwise set by the Court.

Dated: Fairport, New York
December 29, 2021

LITTLER MENDELSON, P.C.

By: /s/ Pamela S.C. Reynolds

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